

RECORD OF PROCEEDINGS

Minutes of

Meeting

COPLEY TOWNSHIP BOARD OF ZONING APPEALS

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held

WEDNESDAY, JANUARY 10, 2018

20

1 Neal Call convened the Board of Zoning Appeals meeting at 6:00 p.m. Present were
 2 Neal Call, Charles Myrick, Russ Hose, Mike Pritchett and Dave Robinson. Absent were
 3 Sylvia Chinn-Levy and Naureen Dar. Matt Springer, Director of Community and
 4 Economic Development was present.

5
 6 **Mr. Myrick moved to approve the December 13, 2017 minutes as submitted, Mr.**
 7 **Robinson, second. Mr. Call asked for the vote. The motion carried.**
 8

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Dave Robinson	X		X	X		
Russ Hose	X			X		
Naureen Dar						
Sylvia Chinn-Levy						
Mike Pritchett (alt.)	X			X		
Charles Myrick (alt.)	X	X		X		

9

10 **ELECTION OF OFFICERS**

11 **Mr. Hose moved to appoint Neal Call to serve as the Chairperson of the Board of**
 12 **Zoning Appeals for 2018, Mr. Robinson, second. Mr. Call asked for a vote. The**
 13 **motion carried.**
 14

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Dave Robinson	X		X	X		
Russ Hose	X	X		X		
Naureen Dar						
Sylvia Chinn-Levy						
Mike Pritchett (alt.)	X			X		
Charles Myrick (alt.)	X			X		

15

16 **Mr. Hose moved to appoint Naureen Dar to serve as the Vice-Chairperson of the**
 17 **Board of Zoning Appeals for 2018, Mr. Robinson, second. Mr. Call asked for a**
 18 **vote. The motion carried.**
 19

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Neal Call	X			X		
Dave Robinson	X		X	X		
Russ Hose	X	X		X		
Naureen Dar						
Sylvia Chinn-Levy						
Mike Pritchett (alt.)	X			X		
Charles Myrick (alt.)	X			X		

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1 **PUBLIC HEARING**
 2 **APPLICANT:** Eric & Kathryn Leininger
 3 **LANDOWNER:** Dr. Joe & Margaret Panzner
 4 **LOCATION:** 1130 S. Hametown Rd.
 5 **ZONING DISTRICT:** Residential - Medium Density (R-MD)
 6 **VARIANCE:** §3.02 (D) 3
 7

8 Mr. Call swore in all persons who wished to speak on the pending application.
 9

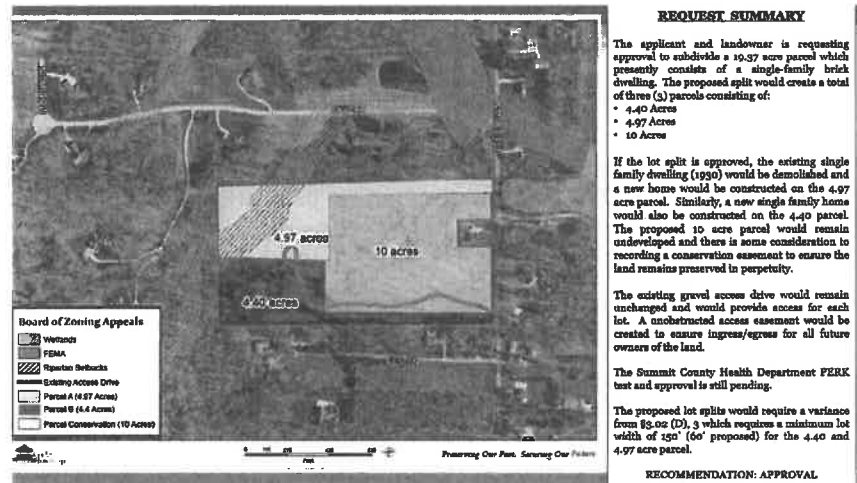
10 Mr. Springer stated the applicant and landowner is requesting approval to subdivide
 11 a 19.37 acre parcel which presently consists of a single-family brick dwelling. The
 12 proposed split would create a total of three (3) parcels consisting of:

- 13 • 4.40 Acres
- 14 • 4.97 Acres
- 15 • 10 Acres

16 If the lot split is approved, the existing single family dwelling (1930) would be
 17 demolished and a new home would be constructed on the 4.97 acre parcel. Similarly,
 18 a new single family home would also be constructed on the 4.40 parcel. The proposed
 19 10 acre parcel would remain undeveloped and there is some consideration to
 20 recording a conservation easement to ensure the land remains preserved in
 21 perpetuity. The existing gravel access drive would remain unchanged and would
 22 provide access for each lot. An unobstructed access easement would be created to
 23 ensure ingress/egress for all future owners of the land.
 24

25 Mr. Springer stated the Copley Fire Dept. has requested that clearance of the driveway
 26 be maintained at all times at a minimum of 20 foot width and 15 foot height from all
 27 vegetation including tree limbs. This request is being made to ensure all fire
 28 apparatus is undamaged in the event of an emergency response.
 29

30 The Summit County Health Department PERK test and approval is still pending.
 31 The proposed lot splits would require a variance from §3.02 (D), 3 which requires a
 32 minimum lot width of 150' (60' proposed) for the 4.40 and 4.97 acre parcel.
 33



34 Mrs. Kate Leininger stated that she currently resides at 4459 Briarwood Dr. and
 35 would be building her new home on this land which is owned by her parents (Joe and
 36 Margaret Panzner). The desire is to preserve the 10 acre parcel which would remain
 37 undisturbed.
 38
 39
 40

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1 Mr. Joe Burgoon stated that he is performing the survey and assisting in the lot split
2 proposal. Mr. Burgoon informed the Board of other similar flag lots which fail to meet
3 the minimum lot width requirements.

4
5 Dr. Joe Panzner stated that the existing home is unfortunately unsalvageable due to
6 poor interior conditions and costly repairs. Instead, a new single family home would
7 be constructed in its place and his son and daughter would be the new owners of
8 proposed parcels A, B and C. The plan is to place a conservation easement over the
9 proposed 10-acre parcel.

10
11 Mr. Pritchett asked if the conservation easement was revocable.

12
13 Dr. Panzner stated that the easement would be revocable but that is not the intention.
14 Instead, long-term preservation and conservation is the desire among the family.

15
16 Mrs. Ilene Kerr stated that she lives at 1139 S. Hametown Rd. and was concerned that
17 development could occur someday if different owners purchase the land.

18
19 Mr. Springer suggested that a deed restriction could be recorded on the 10-acre
20 parcel requiring that the landowner come back to the Board of Zoning Appeals at a
21 future date "if" the land is proposed for development. This would safeguard nearby
22 neighbors as they would receive notification of the proposed disturbance of the land.

23
24 Dr. Joe Panzner stated that he was willing to record the deed restriction as stated by
25 Mr. Springer.

26
27 Mr. Call asked if there were any comments from the public in favor or opposition to
28 the proposed conditional use. No comments were offered.

29
30 **Mr. Myrick moved to close the public hearing, Mr. Robinson, second. Mr. Call**
31 **asked for the vote. The motion carried.**

32
33 **Mr. Call moved to approve the variances for a reduction of minimum lot width**
34 **with the following conditions:**

- 35 1. **Demolish the existing single-family home**
36 2. **Record an unobstructed access easement over the existing gravel**
37 **driveway to ensure ingress/egress of the different landowners on**
38 **proposed parcels A, B and C**
39 3. **Maintain a minimum driveway clearance of 20' width and 15' height**
40 4. **Perform a PERK test with the Summit County Health Dept. and obtain**
41 **necessary septic approval for each new single-family home**
42 5. **Record a deed restriction on proposed parcel C (10-acres) for**
43 **purposes of conservation and the requirement that additional**
44 **approval will be necessary from the Board of Zoning Appeals at a**
45 **future date if the land is ever proposed to be disturbed for**
46 **construction or development related purposes.**

47 **Mr. Pritchett second the motion. Mr. Call asked for the vote.**

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Neal Call	X	X		X		
Dave Robinson	X			X		
Russ Hose	X			X		
Naureen Dar						
Sylvia Chinn-Levy						
Mike Pritchett (alt.)	X		X	X		
Charles Myrick (alt.)	X			X		

BUSINESS FROM THE COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

Mr. Springer provided the Board with Township updates and activities. Such updates included the following:

- Provided a summary of the Annual Meeting for those who were not in attendance. Specifically, the BZA ruled on:
 - 1 Sign Variance
 - 1 Oversized Garage Variance
 - 3 Home Setback Variances
 - 2 Riparian Variances
 - 4 Lot Split Variances
 - 1 Conditional Use Application
 - 2 Site Plan Variances
 - 1 Property Maintenance Appeal
- November monthly report with improvements totaling \$1.2 million.
- 2017 Year-End-Report totaling \$24,341,780 of estimated community improvements. Over the past decade, \$155.7 million invested.
- A Community Open House/Ribbon Cutting Ceremony for the Community and Economic Development office and the recently remodeled space will be held January 25th beginning at 5:00 p.m.

With no further business to come before the Board, the meeting was adjourned at 7:15 p.m.

Approved By:



Neal Call, Chair

Submitted By:



Matt Springer, Community Development Dir.